

Remarks

In the Claims

Claims 5-7 and 10-12 are pending.

Claims 5 and 7 are amended.

Claim 11 is original.

Claims 6, 10 and 12 are as previously presented.

Applicants thank the Examiner for his comments in the phone message of February 18, 2010.

Claim 5 is amended for clarity by deleting from line 1 the term "a first repeating unit of the formula" and inserting in its stead "at least one repeating unit selected from the group consisting of"; deleting the word "or" from the list of the following formulae; and rewording the beginning of the line following the definitions of A¹ through A⁷ to read "and at least one additional repeating unit T ...".

Support is inherent in the claim.

Claim 7 is amended for clarity by rewording line 1 the term "as a repeating unit T" to read "comprising at least one additional repeating unit T"; deleting the phrase "the sum of the first repeating unit(s) and the repeating unit(s) T is 100 mol%" for not significantly adding to the understanding of the claim limitations; replacing the phrase "is a group of formula" immediately prior to the list of formulae with the Markush wording "selected from the group consisting of" and replacing the word "or" with "and" in the formula list. Support is inherent in the claim.

No new matter is added.

Terminal Disclaimer

The terminal disclaimer previously filed to overcome the rejections under the doctrine of non-obvious type double patenting over US App. No. 10/517,411, which has become US Pat 7,541,096 was faulty and not entered. Applicants enclose a correct terminal disclaimer over any patent that may issue from US App. No. 10/517,411, which of course includes US 7,541,096, and kindly ask that the Examiner withdraw the non-obvious type double patenting rejections. Applicants' agent apologizes for any inconvenience or delay due to his error.

Applicants respectfully submit that all rejections are addressed and are overcome and kindly ask that they be withdrawn and claims 5-7 and 10-12 be found allowable. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



Joseph C. Suhadolnik
Agent for Applicants
Reg. No. 56,880
filed under 37 CFR 1.34(a)

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914) 785-2973
Fax (914) 785-7102

Enclosed: Terminal disclaimer over US App. No. 10/517,411